



# Appendix A

## JUROR INFORMATION

- [!\[\]\(38441ceaa711016e0bf2ad46ad394ff4\_img.jpg\) Home](#)
- [!\[\]\(6e027340d4263908f264926b1ad81c5e\_img.jpg\) Court Directory](#)
- [!\[\]\(781510d64f329bf3c880acf086e884d6\_img.jpg\) Rules & Procedures](#)
- [!\[\]\(93cdf5b84f2bfec404f7441e84b6ba5c\_img.jpg\) Civil Case Information](#)
- [!\[\]\(0f0f932ce3b5577a82f34ad23239a6e5\_img.jpg\) Criminal Case Information](#)
- [!\[\]\(eae2be0f6c865f0a2febc97c99fc2475\_img.jpg\) News](#)
- [!\[\]\(beb73fa08c38b910d1745a8873b27d81\_img.jpg\) Frequently Asked Questions](#)
- [!\[\]\(b5401e964162c76526213b8e70b40c2e\_img.jpg\) Forms](#)
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### **INFORMATION FOR TRIAL JURORS SERVING IN THE FEDERAL COURTS**

**Importance of Jury Service**

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**The Jury Questionnaire (PDF Format)** As a part of your service you will be asked to complete this questionnaire. This information will be kept strictly confidential. Providing this information will expedite the selection of juries to try cases before the court.

**Courthouse Locations**

## **Jury Plan (PDF Format) Plan for the random selection of Grand and Petit Jurors**

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### **Importance of Jury Service**

Jurors perform a vital role in the American system of justice. The protection of our rights and liberties is largely achieved through the teamwork of judge and jury who, working together in a common effort, put into practice the principles of our great heritage of freedom. The judge determines the law to be applied in the case while the jury decides the facts. Thus, in a very important way, jurors become a part of the court itself.

Jurors must be men and women possessed of sound judgment, absolute honesty, and a complete sense of fairness. Jury service is a high duty of citizenship. Jurors aid in the maintenance of law and order and uphold justice among their fellow citizens. Their greatest reward is the knowledge that they have discharged this duty faithfully, honorably, and well. In addition to determining and adjusting property rights, jurors may also be asked to decide questions involving a crime for which a person may

be fined, placed on probation, or confined in prison. In a very real sense, therefore, the people must rely upon jurors for the protection of life, liberty and the pursuit of happiness.

## **Service in the Middle District**

In the Middle District of Alabama juries for every case to be tried during a term of court are selected on the first day of the term on which jurors report for jury service. Except in very rare instances no person will serve on more than one jury. If a person is not selected to sit on any juries on the first day of a term he or she will not have to return to the court for further service during that term. Subject to approval by the Clerk of the Court, jurors receive \$99.00 per diem when circumstances require that they must stay overnight. Beginning 1/01/04, jurors receive a mileage allowance of 37.5 cents per mile. Parking information for the juror will be sent with the summons.

## **The Courts**

In this country, there are two systems of courts. They are the courts of the individual 50 States and the District of Columbia and the courts of the

Federal Government. The trial court of the Federal Government is the United States District Court. The types of cases which can be brought in this court have been fixed by the United States Congress according to our Federal Constitution.

Cases in the United States District Courts are divided into two general classes. These are called criminal cases and civil cases.

Criminal cases are those in which individuals or organizations are charged with breaking the criminal laws. Typical criminal charges in a federal court are those involving violation of the federal income tax and narcotics laws, mail theft, and counterfeiting.

Civil cases are suits in which persons who disagree over their rights and duties come into court to settle the matter. A typical example of a civil case is one involving a broken contract. One party may claim that it should be paid under the terms of the contract, while the other side may assert a defense to the claim, such as the lack of a binding contract. The court is asked to decide who is right. This depends on the law as laid down by the judge and the facts as decided by the jury.

## The Voir Dire Examination

To begin a jury trial, a panel of prospective jurors is called into the courtroom. This panel will include a number of persons from whom a jury will be selected to try the case. Alternate jurors may be chosen to take the place of jurors who become ill during the trial.

The panel members are sworn to answer questions about their qualifications to sit as jurors in the case. Before you came to court to begin your jury service, you were asked to fill out a short questionnaire. This helps the parties learn about you and will reduce the amount of time you must spend in court answering questions in person. This questioning process is called the voir dire. This is an examination conducted by the judge and sometimes by counsel or both. A deliberately untruthful answer to any fair question could result in serious punishment to the person making it.

The voir dire examination opens with a short statement about the case to inform the jurors of what the case is about and to identify the parties and their lawyers. Questions are then asked to find out whether any individuals on the panel have any

personal interest in the case or know of any reason why they cannot render an impartial verdict. The court also wants to know whether any member of the panel is related to or personally acquainted with the parties, their lawyers, or the witnesses who will appear during trial. Other questions will determine whether any panel members have a prejudice or a feeling that might influence them in rendering a verdict. Any juror having knowledge of the case should explain this to the judge.

Parties on either side may ask that a member of the panel be excused or exempted from service on a particular jury. These requests, or demands, are called challenges.

A person may be challenged for cause if the examination shows he or she might be prejudiced. The judge will excuse an individual from the panel if the cause raised in the challenge is sufficient. There is no limit to the number of challenges for cause which either party may make.

The parties also have a right to a certain number of challenges for which no cause is necessary. These are called peremptory challenges. Each side usually has a predetermined number of peremptory

challenges. The peremptory challenge is a legal right long recognized by law as a means of giving both sides some choice in the make-up of a jury. Jurors should clearly understand that being eliminated from the jury panel by a peremptory challenge is no reflection upon their ability or integrity.

In the Middle District of Alabama once the voir dire is completed, the lawyers will leave the courtroom with the judge's courtroom deputy to complete the process of selecting the jury.

## **The Jurors' Solemn Oath**

After the voir dire is completed, the jurors selected to try the case will be sworn in by the judge or the clerk who is to administer the oath. That official slowly, solemnly, and clearly repeats the oath. The jurors indicate by their responses and upraised hands that they take this solemn oath.

Jurors not wishing to take an oath may request to affirm instead of swear.

## **The Eight Stages of Trial**

The trial proceeds when the jury has been sworn.

There are usually eight stages of trial in civil cases. They are:

1. The judge gives the jury some preliminary instructions and then the lawyers present opening statements. Sometimes the opening statements on behalf of one or more parties are omitted.
2. Plaintiff calls witnesses and produces evidence to prove its case.
3. Defendant may call witnesses and produce evidence to disprove the plaintiff's case and to prove the defendant's claims.
4. Plaintiff may call rebuttal witnesses to disprove what was said by the defendant's witnesses.
5. Closing arguments are made by the lawyer on each side.
6. The judge instructs or charges the jury as to the law.
7. The jury retires to deliberate.
8. The jury reaches its verdict and returns to the courtroom where the verdict is announced.

# Who Are the People in the Courtroom?

## *The Judge*

The judge presides over the trial from a desk, called a bench, on an elevated platform. The judge has five basic tasks. The first is simply to preside over the proceedings and see that order is maintained. The second is to determine whether any of the evidence that the parties want to use is illegal or improper. Third, before the jury begins its deliberations about the facts in the case, the judge gives the jury **instructions** about the law that apply to the case and the standards it must use in deciding the case. Fourth, in bench trials, the judge must also determine the facts and decide the case. The fifth is to sentence convicted criminal defendants.

## *The Lawyers*

The lawyers for each party will either be sitting at the **counsel** tables facing the bench or be speaking to the judge, a witness, or the jury. Each lawyer's task is to bring out the facts that put his or her client's case in the most favorable light, but do so using approved legal procedures. In criminal cases, one of the lawyers works for the executive branch

of the government, which is the branch that prosecutes cases on behalf of society. In federal criminal cases, that lawyer is the **U.S. Attorney** or an assistant U.S. attorney. On relatively rare occasions, defendants in criminal cases or parties in civil cases attempt to present their cases themselves, without using a lawyer. Parties who act on their own behalf are said to act **pro se**, a Latin phrase meaning "on one's own behalf."

### *The Parties*

The parties may or may not be present at the counsel tables with their lawyers. Defendants in criminal cases have a constitutional right to be present. Parties in civil cases may be present if they wish, but are often absent.

### *The Witnesses*

Witnesses give testimony about the facts in the case that are in dispute. During their testimony, they sit on the witness stand, facing the courtroom. Because the witnesses are asked to testify by one party or the other, they are often referred to as **plaintiff's** witnesses, **government's** witnesses, or defense witnesses.

## *The Courtroom Deputy*

The courtroom deputy, who is usually seated near the judge, administers the oaths to the witnesses, marks the exhibits, and generally helps the judge keep the trial running smoothly.

## *The Court Reporter*

The court reporter sits near the witness stand and usually types the official record of the trial (everything that is said or introduced into evidence) on a stenographic machine. Federal law requires that a word-for-word record be made of every trial. The court reporter also produces a written **transcript** of the proceedings if either party **appeals** the case or requests a transcript to review. However, transcripts will not be available to jurors because there is not enough time to create a transcription.

## **Courtroom Etiquette**

A court session begins when the judge takes his or her place on the bench, and the court official announces the opening of court. A similar procedure is used when court adjourns.

Common courtesy and politeness are safe guides as to the way jurors should act. Jurors will be treated with consideration. Their comfort and convenience will be served whenever possible. They should bring to the attention of the judge any matter affecting their service and should notify the court of any emergencies. In the event of a personal emergency a juror may send word to the judge through any court personnel, or may ask to see the judge privately.

## **Conduct of the Jury During the Trial**

Jurors should give close attention to the testimony. They are sworn to disregard their prejudices and follow the court's instructions. They must render a verdict according to their best judgment.

Each juror should keep an open mind. Human experience shows that, once persons come to a preliminary conclusion as to a set of facts, they hesitate to change their views. Therefore, it is wise for jurors not to even attempt to make up their mind on the facts of a case until all the evidence has been presented to them, and they have been instructed on the law applicable to the case. Similarly, jurors must not discuss the case even among themselves until it

is finally concluded.

Jurors are expected to use all the experience, common sense and common knowledge they possess. But they are not to rely on any private source of information. Thus they should be careful, during the trial, not to discuss the case at home or elsewhere. Information that a juror gets from a private source may be only half true, or biased or inaccurate. It may be irrelevant to the case at hand. At any rate, it is only fair that the parties have a chance to know and comment upon all the facts that matter in the case.

If it develops during the trial that a juror learns elsewhere of some fact about the case, he or she should inform the court. The juror should not mention any such matter in the jury room.

Individual jurors should never inspect the scene of an accident or of any event in the case. If an inspection is necessary, the judge will have the jurors go as a group to the scene.

Jurors must not talk about the case with others not on the jury, even their spouses or families, and must not read about the case in the newspapers. They

should avoid radio and television broadcasts that might mention the case. The jury's verdict must be based on nothing else but the evidence and law presented to them in court.

Jurors should not loiter in the corridors or vestibules of the courthouse. Embarrassing contacts may occur there with persons interested in the case. Juror identification badges will be provided, and they should be worn in the courthouse at all times.

If any outsider attempts to talk with a juror about a case in which he or she is sitting, the juror should do the following:

1. Tell the person it is improper for a juror to discuss the case or receive any information except in the courtroom.
2. Refuse to listen if the outsider persists.
3. Report the incident at once to the judge.

Jurors have the duty to report to the judge any improper behavior by any juror. They also have the duty to inform the judge of any outside communication or improper conduct directed at the jury by any person.

Jurors on a case should refrain from talking on any subject--even if it is not related to the matter being tried--with any lawyer, witness, or party in the case. Such contact may make a new trial necessary.

## In the Jury Room

In this district, jurors elect a foreperson. The foreperson presides over the jury's deliberations and must give every juror a fair opportunity to express his or her views.

Jurors must enter deliberation with open minds. They should freely exchange views. They should not hesitate to change their opinions if the deliberations have convinced them they were wrong initially. However, a juror should never change his or her mind merely because others disagree or just to finish the trial.

In a criminal case all jurors must agree on the verdict. This is also required in a civil case, unless the jury is otherwise instructed by the court.

The jurors have a duty to give full consideration to the opinion of their fellow jurors. They have an obligation to reach a verdict whenever possible. However, no juror is required to give up any

opinion which he or she is convinced is correct.

The members of the jury are sworn to pass judgment on the facts in a particular case. They have no concern beyond that case. They violate their oath if they render their decision on the basis of the effect their verdict may have on other situations.

## **After the Trial**

After the jurors return their verdict and are dismissed by the judge, they are free to go about their normal affairs. Jurors are under no obligation to speak to any person about the case and may refuse all requests for interviews or comments. Payment to jurors for their service will be sent to them by mail within a few days of their service.

## **Conclusion**

To decide cases correctly, jurors must be honest and intelligent. They must have both integrity and good judgment. The jury system is based on these attributes. The continued vitality of the jury system depends on them.

To meet their responsibility, jurors must decide the

facts and apply the law impartially. They must not favor the rich or the poor. They must treat alike all men and women, corporations and individuals. Justice should be rendered to all persons without regard to race, color, religion or sex.

The performance of jury service is the fulfillment of a high civic obligation. Conscientious service brings its own reward in the satisfaction of an important task well done. There is no more valuable work that the average citizen can perform in support of our Government than the full and honest discharge of jury duty.

The effectiveness of the democratic system itself is largely measured by the integrity, the intelligence, and the general quality of citizenship of the jurors who serve in our courts.